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TO RUEHC/SECSTATE WASHDC IMMEDIATE 3369
INFO RUEHXK/ARAB ISRAELI COLLECTIVE PRIORITY
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C O N F I D E N T I A L TEL AVIV 002819

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STATE FOR NEA FOR FRONT OFFICE; NEA/IPA FOR
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E.O. 12958: DECL: 09/21/2017

TAGS: IS KPAL KWBG PGOV PREL

SUBJECT: DEMARCHE ON BARRIER CONSTRUCTION AND SETTLEMENT
ACTIVITY

REF: A) SECSTATE 129800

Classified By: DCM Luis G. Moreno for reasons 1.4 (b), (d)

¶1. (C) Ambassador delivered the demarche on the route of the separation barrier and retroactive legalization of unauthorized settlement construction (see reftel) on September 18 to Ministry of Foreign Affairs Director General Aharon Abramovitch. Abramovitch said he understood these were serious issues and that he would consult with his ministry and interagency, and respond after the holidays in mid-October. These issues also were raised in the Secretary's meetings on September 19 and 20 with GOI

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officials. Post faxed the following text to Abramovitch's office.

¶2. (U) (Begin text) Route of the Separation Barrier:

-- The USG is concerned that the current route of the separation barrier, particularly around Jerusalem, Ma'ale Adumim and the E-1 area, will have a significant negative impact on humanitarian and economic conditions of Palestinians living in the West Bank. As we understand it, the current route of the separation barrier would encompass all of the E-1 area, significantly impede north-south contiguity in the West Bank, and possibly complicate any future final status talks.

-- We have also received reports that in some areas, the route of the barrier will cut residents off from a significant portion of their land, nearly 50% in certain cases. In particular, we would like to note the towns of Beit Jala and Azariya, which will be separated from considerable sections of their territory by the proposed route of the barrier.

-- It is our understanding that the High Court has asked Minister of Defense Barak to provide input on this issue by September 21, 2007. The USG strongly encourages MOD Barak to find ways to accommodate Israel's security needs while minimizing the impact on Palestinians residing in the West Bank.

-- The USG welcomed the High Court's recent decision on the route of the barrier around Bili'in. This opinion fairly balanced Israel's security requirements with the humanitarian and economic impact of the barrier on Palestinians living in the West Bank. We encourage MOD Barak to find that same balance in determining the route of the barrier around the communities of Azariya, Beit Jala and Abu Dis.

Retroactive Legalization of Unauthorized Settlement Construction:

-- The USG is troubled with the possible negative effect of the Civil Administration's retroactive approval of unauthorized settlement construction in Matityahu East.

-- Although upheld as legal by the High Court, we are concerned that this decision creates a precedent that could be applied to retroactively legalize other unauthorized settlement neighborhoods and illegal outposts, as well as embolden those committed to settlement expansion.

-- We view continued settlement expansion to be inconsistent with GOI commitments to the USG on this issue.

-- During Under Secretary Burns' meeting in August, MOD Barak acknowledged that settlement expansion and the route of the separation barrier were rule of law issues. MOD Barak pledged to Under Secretary Burns that he would look into these issues. (End text)

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